

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**PERSONALIZED MEDIA  
COMMUNICATIONS, LLC**

v.

**APPLE, INC.**

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**Case No. 2:15-cv-001366-JRG**

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**MINUTES FOR JURY SELECTION/JURY TRIAL DAY NO. 1  
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP  
March 15, 2021**

**OPEN: 9:22 AM**

**ADJOURN: 6:14 PM**

ATTORNEYS FOR PLAINTIFF:	See attached.
ATTORNEYS FOR DEFENDANTS:	See attached.
LAW CLERKS:	Lee Matalon Taylor Mauze Cason Cole
COURT REPORTER:	Shelly Holmes, CSR-TCRR
COURTROOM DEPUTY:	Andrea Brunson

<b>TIME</b>	<b>MINUTES</b>
09:22 AM	Court opened. Court's introduction and preliminary instructions to Jury Pool.
09:38 AM	Court asked for announcements from the parties.
09:39 AM	Court continues with information and preliminary instructions to Jury Pool.
09:47 AM	Prospective Jurors begin introduction of themselves.
10:23 AM	Court provides additional instructions to Jury Pool.
10:27 AM	Voir dire on behalf of Plaintiff by Ms. Elizabeth DeRieux.
10:58 AM	Voir dire on behalf of Defendant, by Ms. Melissa Smith.
11:27 AM	Court provides further instructions to Jury Pool.
11:29 AM	Strike conference with Ms. DeRieux, Mr. Doug Kline, Ms. Smith and Mr. Gregory Arovas.
12:00 AM	Strike conference completed. Court reconvened.
12:04 PM	Attorneys excused to exercise strikes. Court recessed.
12:33 PM	Court reconvened. Jurors selected. Remainder of panel excused.
12:39 PM	Jurors sworn and additional instructions given by the Court.

<u>TIME</u>	<u>MINUTES</u>
01:01 PM	Jurors excused for lunch.
01:02 PM	Court recessed for lunch.
01:52 PM	Court reconvened. Court took up certain matters with counsel for the parties before the Jury returned to the courtroom.
01:54 PM	Jury returned to the courtroom. Court gave preliminary instructions to the Jury. Jurors were given jury notebooks.
02:32 PM	Plaintiff's opening statement by Mr. Kline.
03:02 PM	Defendant's opening statement by Mr. Marc Sernel.
03:30 PM	Both sides invoked the Rule for fact witnesses only.
03:31 PM	Jurors recessed to jury room for break.
03:32 PM	Recess.
03:48 PM	Court reconvened.
03:48 PM	Jury returned to courtroom.
03:50 PM	Witness sworn. Direct examination of Mary Katherine Metzger by Mr. Kline.
04:22 PM	Cross examination of Mary Katherine Metzger by Ms. Smith.
04:38 PM	Witness excused.
04:39 PM	Mr. Kline introduced the video deposition of Gerald Holtzman.
05:31 PM	Video deposition of Gerald Holtzman completed.
05:31 PM	Mr. Kline introduced the video deposition of Heather Mewes.
05:49 PM	Video deposition of Heather Mewes completed.
05:49 PM	Mr. Kline introduced the video deposition of Jayna Whitt
06:11 PM	Video deposition of Jayna Whitt completed.
06:12 PM	Court provided additional instructions to the Jury. Jury returned to the courtroom and will return tomorrow morning to be seated by 8:30 a.m.
06:12 PM	Jury dismissed for the day.
06:14 PM	Court adjourned.